

### **TOWN OF GOSHEN**

42A NORTH STREET GOSHEN, CT 06756-0187 PHONE 860 491-2308 x 232 FAX 860 491-6028

Martin J Connor, AICP, Town Planner/Zoning and Inland Wetlands Enforcement Officer

To:

Planning & Zoning Commission

From:

Martin J. Connor, AICP

Subject:

Edward S & Kim M Bahr, 80 Holmes Rd., 2 lot Subdivision

Date:

February 28, 2023

MacKenzey Melk & Christopher Pannullo have filed a Subdivision application for property owned by Edward S & Kim M Bahr at 80 Holmes Rd. The property is located in the RA-5 Zone and is 17.71 acres in size. The applicants propose to divide the land into 2 lots, lot 1 will be 12.61 acres in size, 11.94 acres excluding wetlands, with 619 ft of road frontage. Proposed lot 1 will be retained by the Bahr's who currently live on the property. They have a house and several accessory buildings. They also use their property for agriculture, bee keeping. Proposed lot 2 will be 5 acres in size, 4.02 acres excluding wetlands, with 302 ft of road frontage. The applicants intend to purchase lot 2 from the Bahr's and build a residence there if the subdivision is approved.

The applicants have submitted plans titled, "Subdivision Plan, Prepared for Edward S & Kim M Bahr, 80 Holmes Road, Goshen, Connecticut," dated 12/28/2022, revised, 2/24/23, by Hrica Associates LLC, and "Site Analysis Plan, Property of Edward S & Kim M Bahr, 80 Holmes Road, Goshen, Connecticut," dated 12/28/2022, revised, 2/24/23, Sheets C1-C4. Also submitted is a letter from Richard Rossi, Sanitarian, Torrington Area Health District to the Commission, dated January 23, 2023, approving the proposed subdivision for subsurface sewage disposal purposes. The Project Engineer, Kenneth Hrica, P.E.L.S., has written a letter to the Commission requesting a waiver of providing Open Space and Recreation Area, in accordance with Section VIII of the Subdivision Regulations. I have met with the owners, applicants, project engineer and have walked the property. I also met with the 1st Selectman and Public Works Supervisor regarding the Section of Holmes Rd. where the subdivision has been proposed.

## In reviewing the application and plans I have the following comments:

- 1. The Inland Wetlands Commission reviewed the proposed subdivision and granted approval at their January 5, 2023, Meeting. This approval constitutes a favorable report to the PZC.
- 2. The two proposed lots meet the minimum requirements for lots in the RA-5 Zone. The project engineer has demonstrated on the Site Analysis Plan that a house meeting the zoning setback requirements, code complying septic system, reserve septic system, well, and driveway can be built on lot 2.
- 3. Public Works Supervisor, Garrett Harlow, reviewed the plans and wrote a review

letter dated January 13, 2023. His comments were from the prospective of needs of required road upgrades for safe, maintainable access off of this Town road. His Comments were shared with the owners, applicants, Ken Hrica and 1<sup>st</sup> Selectman. The plans have been revised to address the comments. Mr. Harlow met with Mr. Hrica to review the updated plans. A response letter to Mr. Harlow's comments addressed to me was prepared by Mr. Hrica dated 2/27/23. In an email to me dated 2/24/23, Mr. Harlow indicated that his comments have been adequately addressed.

- 4. As a result of the revisions to the subdivision to address Mr. Harlow's comments, the Zoning Table on the Subdivision Plan needs to be adjusted to match the lot size for lot 1. Lot 1 has been reduced slightly to provide the requested road right-of-way along Holmes Road (12.7 acres to 12.61 acres.) The Sight Analysis Plan also needs to be changed as well for lot 1. I pointed this out in a meeting today with the project engineer. He agreed to make the correction and bring a revised set of plans to tonight's meeting.
- 5. I reviewed the letter submitted by the project engineer regarding requesting a waiver from providing land for providing Open Space and Recreation Area, in accordance with Section VIII of the Subdivision Regulations. I agree with his findings that the area in question does not meet the guidelines for requiring 15 % of the land be set aside for open space and recreation area. The land does not abut other open space land and should the Commission require the 2.6 acres it would become an isolated open space area.
- 6. I met with the Goshen Fire Chief, Barry Hall, and reviewed the proposed subdivision plans with him. He was familiar with the area and had no comments.

### Conclusion

In my opinion the Commission can make a finding that the application, maps, plans, and accompanying documents conform to the requirements of the Zoning and Subdivision Regulations. I recommend that the waiver request of providing Open Space and Recreation Area, in accordance with Section VIII of the Subdivision Regulations be approved as there is no protected open space adjacent to this property nor land contained in the subdivision that is identified in the 2016 Town of Goshen Plan of Conservation and Development and 2015 Goshen Open Space needing protection. Further lot 1 is currently being used for agricultural purposes. I recommend that the Subdivision Application be approved with the following conditions:

- 1. Per Section IV 2 D (2) b of the Subdivision Regulations, prior to endorsement and filing of the Final Subdivision Plan, the applicant's attorney shall submit written easements for the three drainage easements as shown on the Subdivision Plan for review and approval by the Town Attorney and be filed on the Land Records along with the approved Final Subdivision Plan.
- 2. Prior to endorsement of the Final Subdivision Plan, the applicant's surveyor shall set the pins and monuments as shown on the Subdivision Plan and submit a letter to the Town Planner attesting that these pins and monuments have been set in accordance with the Plan.



# TOWN OF GOSHEN, CT

GOSHEN TOWN HALL 42A North Street Goshen, CT 06756 860-491-2308 ext.232



01/17/2023

# SUBDIVISION APPLICATION

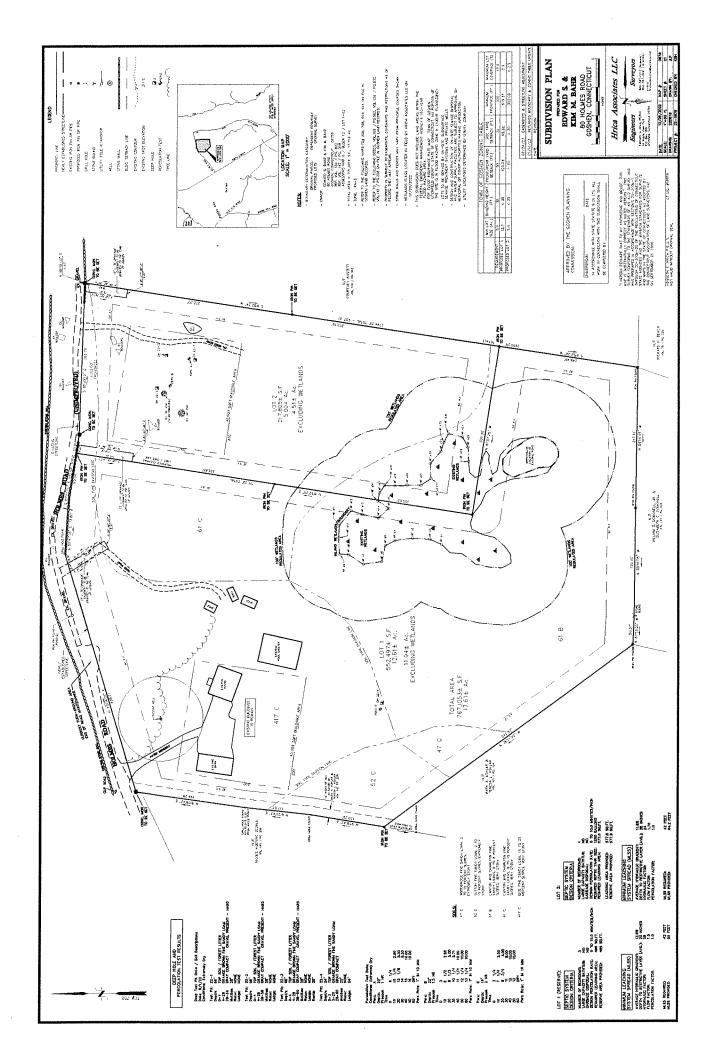
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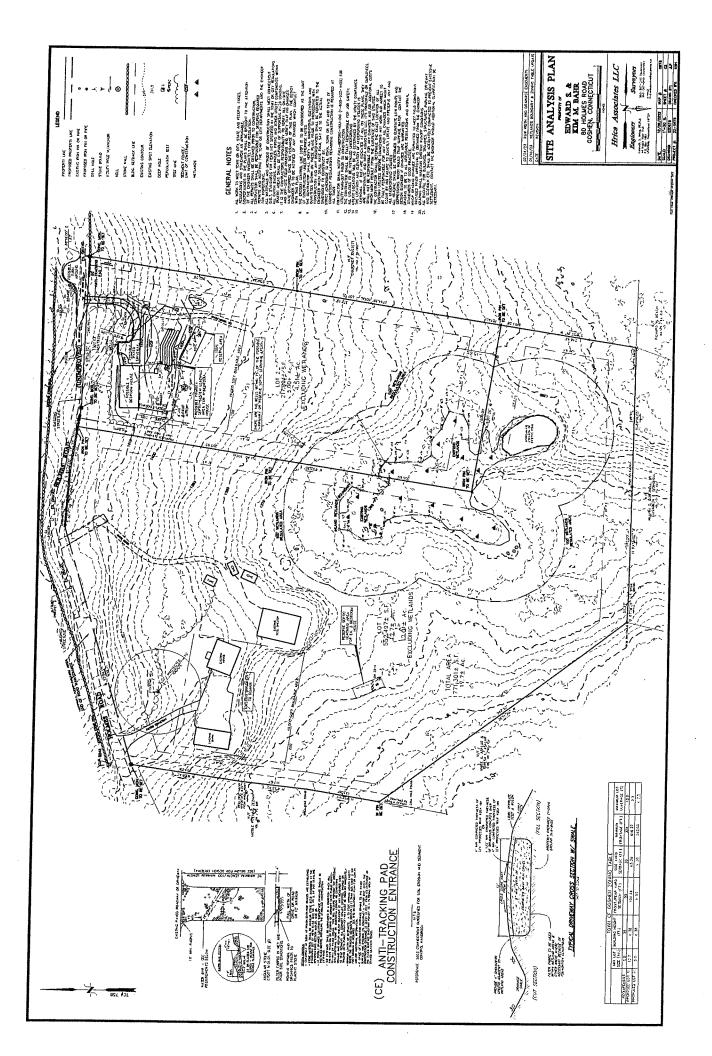
✓ Subdivision Re-Subdivision Mo	dification to Subdivision Plan
Applicant Information	
Name: MacKenzey Melk & Christopher Pannullo	
Address: 4 Whispering Pines Ln., Goshen, CT 06756	
Phone: 413-525-8350 Fax:	
Email: hricaassociates@optonline.net	
Legal Interest:	
Owner Information	
,	
Name: BAHR EDWARD S & KIM M	
Address: <b>80 HOLMES ROAD GOSHEN, CT 06756</b> Phone: <b>860-605-0023</b> Fax:	
Email: ebar1@live.com  Attached is documentation verifying ownership of the property. (Re	
Trumened to documentation vertifing ownership of the property. (Acc	:quirea)
Subdivision Specifications	
Subdivision Name: Bahr Subdivision	
Address: 80 HOLMES ROAD	
Zone: RA-5 Assessor's Map and Lot #	
Is the subject parcel within 500 ft. of the Town boundary? Yes	
Total Acreage: 17.71 Proposed Number of Build	
Total Acreage of Open Space:   Total Acreage of Con-	
(Attach open space calculations showing compliance to the Subdivision	
New Roads:	
New Roads: Name: None	Length:

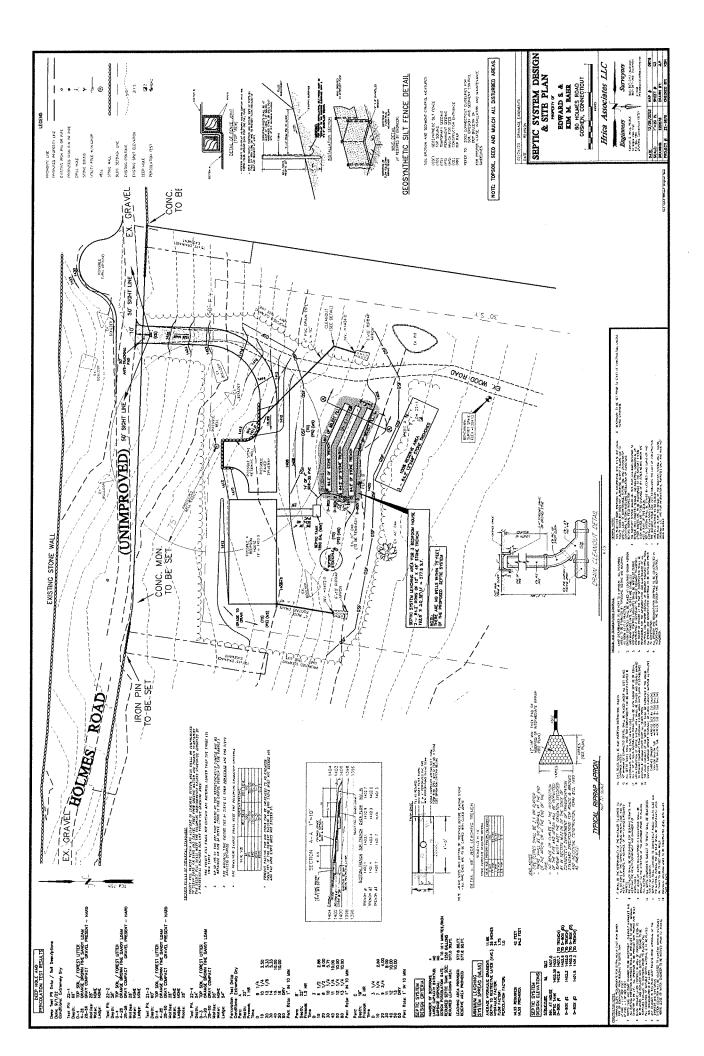
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Subdivision Specifications (cont.)	
Water Supply: <b>WELL</b>	
Approved by Local Health District:	✓ yes no n/a
Approved by State Health Department:	yes no <u>√</u> n/a
Sewage Disposal: <b>SEPTIC</b>	
Approved by Local Health District:	✓ yes no n/a
Approved by State Health Department:	yes no <u>√</u> n/a
Is the property subject to Wetland Regulations?	<u>√</u> yes no
Signs	
Will any signs be erected? yes <u>✓</u>	no
Location:	
	Size:
Parties of Interest*	
Engineer/ Architect Name: Kenneth S. Hrica PE,LS	s
Address: 44 Maple View Trail, P{.O. Box 1861, Litch	nfield, CT 06759
Phone: <b>860-567-2112</b>	Fax:
Email: khrica@hricaassociates.com	
Developer/ Builder Name: <b>TBD</b>	
Address:	
Phone:	
Email:	
*Complete information in this section as applicable.	· · · · · · · · · · · · · · · · · · ·
Timeline	
	Decree of Complete model 1999
Proposed Date to Commence Construction: <u>04/01/2</u>	Proposed Date of Completion: 04/01/2024
Additional Information for Do Cub divisions	
Additional Information for Re-Subdivisions  Data of Appropriate Continual Subdivisions	
Date of Approval of Original Subdivision:	
Date filed with the Town Clerk:	Map # :
Fees	
\$ <u>0.00</u> (Town Fee) + \$ <u>0.00</u> (State I	Fee) = \$\frac{10.00}{(Payable to the Town)}

Taxes
Are all real estate, sewer use, and sewer assessment taxes current? ✓ yes no
✓ Attached is proof of payment. (required)
Signatures
The undersigned hereby applies for the approval of the Plan for the aforesaid subdivision and development and
in consideration of such approval, covenants and agrees with the Town, as represented by the Planning and
Zoning Commission, that:
• He will install such utilities as required, including storm drainage facilities, sewage systems, and comply
with such other reasonable requirements as may be made by the Planning and Zoning Commission.
He will complete all streets in the development or abutting thereon to the satisfaction of the Selectmen
within months from the date of final approval of this request.
He will file a surety and performance bond, or savings account assignment bond, or cash bond in the
amount stipulated in the approval by the Planning and Zoning Commission.
He will convey to the Town by warranty deed all parcels of land for roads and for open space required
by the Planning and Zoning Commission.
He will grant to the Town perpetual unrestricted easements for drainage rights-of-way, and for areas
designated as open space.
• He is familiar with the Zoning Regulations and the Subdivision Regulations of the Town and that this
subdivision meets all requirements therein.
• He authorizes members of the Commission and Town staff to walk on the property for purposes of site
inspections associated with this application.
Dated this 14 day of Februay , 2023
Signature of Owner(s) BAHR EDWARD S & XIM M 01/17/2023
Signature of Applicant(s) Department Signed 02/14/2023

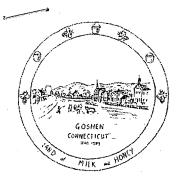
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### TOWN OF GOSHEN

42A NORTH STREET, GOSHEN, CT 06756 PHONE (860) 491-2308 EXT. 232 FAX (860) 491-6028

**Inland Wetlands Commission** 

January 8, 2022

# CERTIFIED MAIL RETURN RECEIPT REQUESTED

MacKenzey Melk & Christopher Pannullo 4 Whispering Pines Lane Goshen, CT 06756

Re: Mackenzey Melk & Christopher Pannullo for Edward & Kim Bahr, 80 Holmes Road - 2-Lot Residential Subdivision: no regulated activities proposed

To Ms. Melk and Mr. Pannullo:

The above-referenced permit for the project of **2-Lot Residential Subdivision**: no regulated activities proposed has been approved at the regular meeting of the Inland Wetland Commission on January 5, 2023. Please read your permit carefully as *all* construction and/or other work must conform to what the permit authorizes. Please final grade and stabilize all disturbed ground as soon as possible to avoid erosion and runoff.

If you have any questions about the enclosed permit or your responsibilities, please contact me at 860-491-2308 Ext. 232.

Sincerely,

Martin J. Connor, AICP

Town Planner and Zoning & Inland Wetlands Enforcement Officer

MJC/lc

**Enclosures** 



### TORRINGTON AREA HEALTH DISTRICT

350 Main Street ♦ Suite A ♦ Torrington, Connecticut 06790
Phone (860) 489-0436 ♦ Fax (860) 496-8243 ♦ E-mail info@tahd.org ♦ Web www.tahd.org
"Promoting Health & Preventing Disease Since 1967"

January 23, 2023

Goshen Planning & Zoning Town Hall Goshen, Ct. 06756

### **Dear Commission Members:**

The following correspondence concerns itself with a proposed two-lot subdivision within the town of Goshen and located along the south side of Holmes Road. The parcel, consisting of approximately 17.7 acres and owned by Edward S. and Kim M. Bahr, is shown on a map submitted by Ken Hrica, P. E. and dated January 10, 2023, as revised. Deep hole and percolation test data was also included and dated September 1, 2022. The intent of the project is to create a new 5 acre building parcel to be know as Lot 2 with the appropriate primary and reserve septic system areas. The existing Lot 1 presently containing a three-bedroom dwelling, is being reduced to 12.7 acres with a code compliant reserve area identified. As a result of this material review and field evaluation, we are in agreement with Mr. Hrica's assessment that this parcel can satisfactorily accommodate a subsurface sewage disposal system for a single family four-bedroom dwelling within the area tested. Wetlands, ledge and a seasonal high ground water table appear to pose no problems for these parcels. Finally, prior to issuance of any septic permit, an individual sanitary design prepared by a professional engineer must be submitted for review and approval to this department.

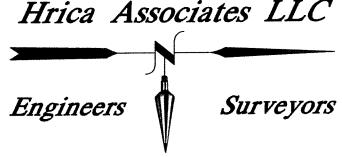
If you should have any questions, please do not hesitate to call this office.

Richard Rossi

Torrington Area Health District

Hrica Associates LLC

Kenneth S. Hrica, PE,RLS 44 Maple View Trail P.O. Box 1861 Litchfield, Connecticut 06759



860-567-2112 (business) 860-567-0491 (faximile)

hricaassociates@optonline.net

Town of Goshen Planning & Zoning Commission **42A North Street** Goshen, CT 06756 Attn: Mr. Don Wilkes, Chairman January 13, 2023

Bahr 2-Lot Subdivision 80 Holmes Road,

Goshen, CT

Dear Chairman Wilkes,

This letter is a waiver request of the Town of Goshen Subdivision Regulation Section VIII Open Space and Recreation Areas.

RE:

- -The subject property is not recommended for Open Space in the 2016 "Plan of Conservation and Development for the Town of Goshen and does not meet the basic set of guidelines for Open Space as provided in the "Plan."
- -The subject property does not abut Protected Land.
- -The subject property does not abut Water Company Property.
- -The subject property does not abut a stream corridor or contain significant, sensitive wetland areas.
- -The subject property does not contain land of historical importance or scenic vistas.
- The subject property is not part of a large-unfragmented block of land, and, the subject property does not abut Town Property or other recreation areas.

Requiring Open Space for this two-lot subdivision would result in an isolated 2.6 acre maximum parcel of land, at 15% of total land being subdivided.

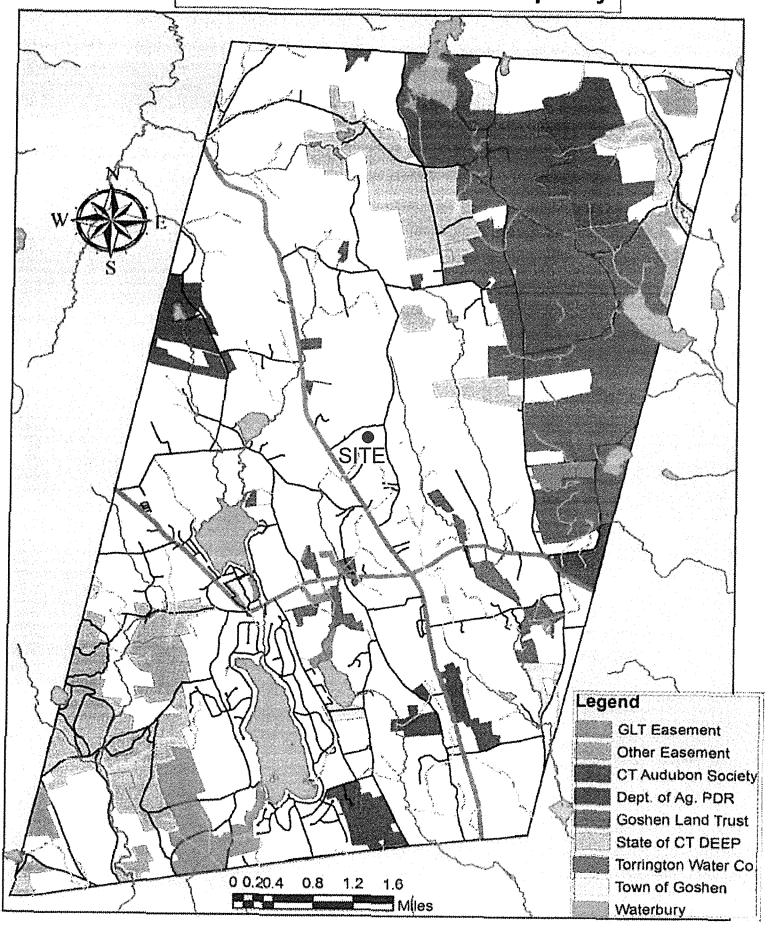
The 12.7 acre parcel of land to remain with the current owner is being used for agricultural purposes (Honey Bee Farm,) with plans to expand wildflower plantings and fruit tree orchard planting in the unoccupied portions of the property.

The 5 acre parcel being broken off, is intended to provide the applicants, a young couple currently residing in the Town of Goshen, a chance to set roots and remain living in Town.

Very truly yours,

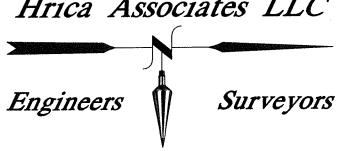
Kenneth S. Hrica

# Goshen Protected Property



Hrica Associates LLC

Kenneth S. Hrica, PE,RLS 44 Maple View Trail P.O. Box 1861 Litchfield, Connecticut 06759



860-567-2112 (business) 860-567-0491 (faximile)

e-mail: hricaassociates@optonline.net

February 27, 2023

Mr. Martin Connor, AICP, Enforcement Officer Town of Goshen 42A North Street Goshen, CT 06756

RE:

80 Holmes Road

Initial Review of Subdivision Plan Comments from Goshen D.P.W.

### Mr. Connor:

In response to Goshen Public Works Supervisor Garret D. Harlow, PLA.'s review of Subdivision Plans, 80 Holmes Road, dated January 13, 2023, I offer the following responses:

- 1. Survey and show location of existing wall on north side of Holmes Rd. from the current ending near the existing road turnaround and then heading west past CL&P pole #5042. See attached markup of submitted plan.
  - RESPONSE: The existing stone wall located on the north side of Holmes Road has been field surveyed and mapped as requested.
- 2. Revise Street Line on south side of Holmes Road at Lot 1 as shown per markup of submitted plan to provide Town with a minimum 50' ROW for the length of the subdivision. RESPONSE: The Street Line on the south side of Holmes Road has been modified as shown on the "markup" drawing.
- 3. Provide a monument at Town proposed northeast corner of Lot 1 prior to filing of subdivision on land records. Locate monument so as to provide Town with a minimum 50' ROW at this location.
  - RESPONSE: A proposed concrete monument has been added to the plans in accordance with the "markup" drawing in this location. ROW width at the proposed monument exceeds 50 feet. Monument shall be set prior to filing of the Subdivision Plan on the Town of Goshen Land Records.
- 4. Provide a monument at the proposed northwest corner of Lot 2 prior to filing of subdivision on land records.
  - RESPONSE: A proposed concrete monument has been added to the plans in accordance with the "markup" drawing in this location. Monument shall be set prior to filing of the Subdivision Plan on then Town of Goshen Land Records.

- 5. Provide an iron pin or monument at each pivot point along the Subdivision Street Line prior to filing of subdivision on Town land records.
  - <u>RESPONSE:</u> Prior to filing, iron pins and monuments will be set at all property line intersections having a deflection angle of not less than 70 degrees.
- 6. Provide a 15'x60' Drainage Easement at Lot 1 in favor of the Town as shown located on attached markup of previously submitted plan. Graphically show easement on final plan submission.

  RESPONSE: A 15'X75' drainage easement has been added to the Subdivision Plan in the requested location.
- 7. Provide a 15'x100' Drainage Easement at Lot 2 in favor of the Town as shown located of previously submitted plan at the northwest corner of Lot 2. Graphically show easement on final plan submission.
  - <u>RESPONSE</u>: A 15'X100' drainage easement has been added to the Subdivision Plan in the requested location.
- 8. Provide a 15'x60' Drainage Easement at Lot 2 in favor of the Town as shown located on of previously submitted plan at the northeast corner of Lot 2. Graphically show easement on final plan submission.
  - <u>RESPONSE</u>: A 15'X75' drainage easement has been added to the Subdivision Plan in the requested location.
- 9. Provide the Town with a text description of each drainage easement for review prior to filing on land records along with 8.5"x11" map of easement for filing with description. Town can provide sample upon request.
  - <u>RESPONSE</u>: A text description of each drainage easement will be submitted for review prior to filing on the Town of Goshen Land Records along with 8.5"x11" maps of the easements for filing.
- 10. No comment on proposed Lot 2 access as shown.

Sincerely,

Hrica Associates LLC

Kenneth S. Hrica PE,LS

### **Martin Connor**

From:

Garret Harlow <publicworks@goshenct.gov> on behalf of Garret Harlow

Sent:

Friday, February 24, 2023 3:25 PM

To:

Martin Connor; Kenneth S. Hrica PE, LS; L Clinton

Subject:

RE: Subdivision

### Marty:

I met with Ken Hirca P.E., LS this morning to review the revised subdivision plan being submitted by his office for the next Planning and Zoning meeting. In my opinion he was able to address each of the comments raised from the previous plan in a satisfactory manner. Ken will be submitting a response letter responding to each of the comments from the Town. Let me know if you need anything else for the meeting.

Regards,

Garret Harlow, PLA, Supervisor Town of Goshen - Public Works

Phone: (860) 491-6029 Fax: (860) 491-6036 www.goshenct.gov

From: Martin Connor [mailto:landuse@goshenct.gov]

Sent: Thursday, February 23, 2023 8:46 AM

To: Kenneth S. Hrica PE,LS < hricaassociates@optonline.net >; 'Garret Harlow' < publicworks@goshenct.gov >; 'L Clinton'

<<u>LClinton@goshenct.gov</u>> **Subject:** Re: Subdivision

Thanks guys!

### Get Outlook for iOS

From: Kenneth S. Hrica PE,LS < hricaassociates@optonline.net >

Sent: Thursday, February 23, 2023 2:17:28 PM

To: 'Garret Harlow' < publicworks@goshenct.gov >; 'Martin Connor' < Landuse@goshenct.gov >; 'L Clinton'

<<u>LClinton@goshenct.gov</u>> **Subject:** RE: Subdivision

Garret,

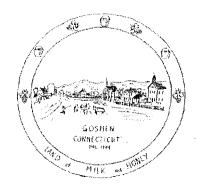
Tomorrow morning at 11:30 is fine. I don't think we'll need any more that a half hour to go over the revised plan. See you then.

Ken

From: Garret Harlow <publicworks@goshenct.gov>

Sent: Thursday, February 23, 2023 7:47 AM

To: Kenneth S. Hrica PE,LS < hricaassociates@optonline.net >; Martin Connor < Landuse@goshenct.gov >; L Clinton



### **TOWN OF GOSHEN**

Public Works Department 38 Torrington Road Goshen, CT 06756

Phone: 860-491-6029 Fax: 860-491-6036 Garret D. Harlow, PLA, Supervisor

January 13, 2023

Mr. Martin Conner, AIPA Town Planner, Zoning and Wetlands Enforcement Town of Goshen 42A North Street Goshen, CT 06756

RE: 80 Holmes Road

Initial Review of Subdivision Plan Comments from Goshen D.P.W.

### Mr. Conner:

I have performed a review of the Subdivision Plan set for 80 Holmes Road comprised of sheets C1- 4 prepared by Hirca Associates, LLC; Engineers and Surveyors, dated December 28, 2022 and revised through January 10, 2023. The plans where reviewed by the Department of Public Works only from the perspective of needs of required road upgrades for safe, maintainable access and proposed lot access off of the Town road. I offer the following comments:

- 1. Survey and show location of existing wall on north side of Holmes Rd. from the current ending near the existing road turnaround and then heading west past CL&P pole #5042. See attached markup of submitted plan.
- 2. Revise Street Line on south side of Holmes Road at Lot 1 as shown per markup of submitted plan to provide Town with a minimum 50' ROW for the length of the subdivision.
- 3. Provide a monument at Town proposed northeast corner of Lot 1 prior to filing of subdivision on land records. Locate monument so as to provide Town with a minimum 50' ROW at this location.
- 4. Provide a monument at the proposed northwest corner of Lot 2 prior to filing of subdivision on land records.

- 5. Provide an iron pin or monument at each pivot point along the Subdivision street line prior to filing of subdivision on Town land records.
- 6. Provide a 15'x60' Drainage Easement at Lot 1 in favor of the Town as shown located on attached markup of previously submitted plan. Graphically show easement on final plan submission.
- 7. Provide a 15'x100' Drainage Easement at Lot 2 in favor of the Town as shown located of previously submitted plan at the northwest corner of Lot 2. Graphically show easement on final plan submission.
- 8. Provide a 15'x60' Drainage Easement at Lot 2 in favor of the Town as shown located on of previously submitted plan at the northeast corner of Lot 2. Graphically show easement on final plan submission.
- 9. Provide the Town with a text description of each drainage easement for review prior to filing on land records along with 8.5"x11" map of easement for filing with description. Town can provide sample upon request.
- 10. No comment on proposed Lot 2 access as shown.

Regards,

Garret D. Harlow, PLA, Supervisor Town of Goshen – Public Works



## Town of Goshen

Town of Goshen

42A NORTH STREET

GOSHEN, CT 06756

## **Bill Information**



\$8,701.40

	Taxpayer Informa	tion	
Bill #	2021-1-0000100 (REAL ESTATE)	Town Benefit	
Unique ID	00083510	Elderly Benefit	
District/Flag			
Name	BAHR EDWARD S & KIM M	Assessment	439,290
Care of/DBA		Exemption	0
Address		Net	439,290
Detail Information	80 HOLMES ROAD TC#758		
Volume/Page		Mill Rate	Town 19.8

		Bill Information	on As of 01/12/2023	
Installment	Due Date	Town	Total Due	
Inst #1	07/01/2022	4,348.97	T. (B) (B) (B)	
Inst #2	01/01/2023	4,348.97	Tax/ Princ/ Bond Due	0.00
Inst #3			Interest Due	0.00
Inst #4				0.00
Total Adjustmen	ts	3.46	Lien Due	0.00
Total Installment	+ Adjustment	8,701.40	Fee Due	0.00
Total Payments		8,701.40	Total Due Now	0.00
			Balance Due	0.00

\*\*\* Note: This is not a tax form, please contact your financial advisor for information regarding tax reporting. \*\*\*

Payment History						
Payment Date	Туре	Tax/Principal/Bond	Interest	Lien	Fee	Total
09/27/2022	PAY	4,348.97	0.00	0.00	0.00	4,348.97
07/26/2022	PAY	4,348.97	0.00	0.00	0.00	4,348.97
07/26/2022	PAY	3.46	0.00	0.00	0.00	3.46

*** Total payments made to taxes	in 2022	